

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAWANE ARTHUR MALLET,

Defendant.

No. 2:02-cr-00416-TLN

ORDER

This matter is before the Court on Defendant Dawane Arthur Mallett's ("Defendant") Motion to Modify the Restitution Order. (ECF No. 403.) No opposition has been filed. For the reasons set forth below, the Court DENIES Defendant's motion.

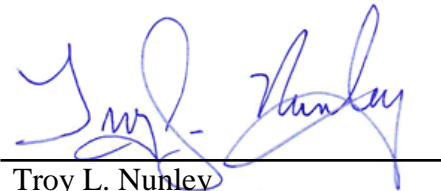
Defendant is a federal prisoner proceeding *pro se*. In 2003, Defendant was convicted of two counts of aiding and abetting interference with commerce by robbery in violation of 18 U.S.C. § 1951(a)(2); two counts of use of a firearm in violation of 18 U.S.C. § 924(c); one count of aiding and abetting armed bank burglary and kidnapping in violation of 18 U.S.C. §§ 2113(a), (d), and (e); and one count of aiding and abetting carjacking a vehicle that has been transported in interstate commerce in violation of 18 U.S.C. § 2119. (ECF No. 239.) On February 6, 2004, Defendant was sentenced to 654 months in federal prison. (ECF No. 258.) The Court also ordered Defendant to pay a special assessment in the amount of \$600 and restitution in the amount of \$1,844.83. (*Id.*)

1 Defendant filed the instant *pro se* motion on May 16, 2022. (ECF No. 403.) Defendant
2 raises various arguments, including that he is unable to make any payments of restitution, that the
3 \$600 special assessment fee has expired, and that there is no Court-ordered payment plan. (*Id.*)
4 The Court construes Defendant's motion as one to modify the restitution order. However,
5 Defendant's arguments lack clarity, and the Court declines to modify the well-supported special
6 assessment and restitution order based on the existing record. To the extent Defendant has
7 questions about his remaining financial obligations, Defendant should raise those questions with
8 the Bureau of Prisons.

9 Accordingly, the Court DENIES Defendant's motion. (ECF No. 403.)

10 IT IS SO ORDERED.

11 **DATED: June 6, 2022**



Troy L. Nunley
United States District Judge